

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE: VANESSA GREGORY

DEBTOR

CHAPTER 13
CASE NO. 19-00443

MOTION FOR SANCTIONS FOR VIOLATION OF AUTOMATIC STAY

COMES NOW, Vanessa Gregory, Debtor, and respectfully moves the Court pursuant to 11 U.S.C. § 362(k) to enter an Order for sanctions against Creditor, The Bank of New York Mellon Trust Company, N.A. for violation of automatic stay and would show unto the court the following:

1.

On February 5, 2019 debtor filed a voluntary Chapter 13 Bankruptcy petition.

2.

On February 6, 2019, debtor filed her Amended Motion to extend automatic stay (DKT#12) Hearing was set for March 4, 2019 at 9:00 a.m. for said Motion to be heard.

3.

On March 4, 2019, the hearing was held at 9:00 a.m. after hearing oral testimony and being advised in the premises, this Court ruled that the automatic stay was imposed and over ruled the Creditor's objection.

4.

On March 21, 2019, creditors through their agents Green River Capital contacted debtor via notice attached herein as Exhibit "A" requesting surrender of the debtor's home indicating that they were the "owners" and had acquired the property through "foreclosure sale" this was in violation of 11 U.S.C. § 362(k) since the automatic stay was imposed.

WHEREFORE, Debtor requests that this Court enter an Order for sanctions against Creditor, The Bank of New York Mellon Trust Company, N.A. for violation of automatic stay and for any general or specific relief which she may be entitled.

Respectfully submitted, this the 25th day of March 2019.

/s/ Marquis D. Rose
Marquis D. Rose, MSB#1040358
Attorney for Debtor

CERTIFICATE OF SERVICE

I, the undersigned attorney for the above-referenced debtor, do hereby certify that I have this date served a true and correct copy of the Motion for Sanctions for Violation of Automatic Stay to the affected creditor via First Class U.S. Mail and the case trustee and U.S. Trustee via Notice of Electronic Filing (NEF) through the ECF system.

Date: March 25, 2019.

/s/ Marquis D. Rose
Marquis D. Rose, Esq.